

**FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION**

## BETH CHANEY MACNEILL

VS.

**CIVIL ACTION NO. 4-14CV-242-0**

**NIRMAL JAYASEELAN, M.D.,  
DOMINGO K. TAN, M.D., CHAD  
CARLTON, M.D., TEXAS HEALTH  
HARRIS METHODIST HOSPITAL  
FORT WORTH, EMERGENCY  
MEDICINE CONSULTANTS LTD,  
BAYLOR ALL SAINTS MEDICAL  
CENTER AT FORT WORTH AND  
EMCARE, INC.**

**PLAINTIFF'S MOTION TO DISMISS  
DEFENDANT NIRMAL JAYASEELAN, M.D. WITH PREJUDICE**

**TO THE HONORABLE COURT:**

**COMES NOW,** Beth Chaney MacNeill (“Plaintiff”), in the above-styled and numbered cause, and file this, her Motion to Dismiss Defendant Nirmal Jayaseelan, M.D. with Prejudice, and would respectfully show the Court the following:

I.

Plaintiff no longer desires to prosecute this lawsuit against Defendant Nirmal Jayaseelan, M.D. The Parties and their respective representatives have met to discuss the allegations in this suit. In order to avoid further cost, and without admitting or determining liability, the parties have agreed to settle all claims. Accordingly, the Plaintiff hereby request this Court dismiss Plaintiff's claims and causes of action against Defendant Nirmal S. Jayaseelan, M.D. ***with prejudice*** to the right of Plaintiff to re-file same.

**WHEREFORE, PREMISES CONSIDERED,** Plaintiff Beth Chaney MacNeill respectfully requests that the Court grant this Motion to Dismiss with Prejudice, dismiss Plaintiff's claims and causes of action against Defendant Nirmal S. Jayaseelan, M.D. ***with prejudice*** to the re-filing of same.

Respectfully submitted,

s/ Robert Hammer  
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**COUNSEL FOR PLAINTIFF**  
**Beth Chaney MacNeill**

**CERTIFICATE OF SERVICE**

I do hereby certify that on April 2, 2015 I electronically filed the foregoing with the Clerk for the U.S. District Court, Northern District of Texas, using the ECF system which will send notification of such filing to all counsel of record

s/ Robert Hammer  
**Robert W. Hammer**

